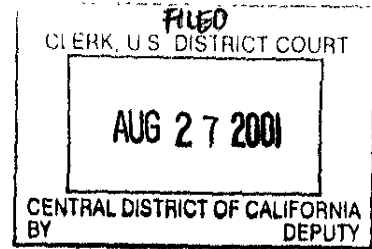


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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BOB BATTERT,

Plaintiff(s),

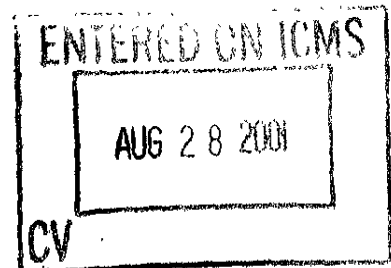
vs.

CALIFORNIA HORSE RACING
BOARD,

Defendant(s).

) NO. CV 01-7363 DT (BQRx)

) STANDING ORDER WITH REGARD
) TO NEWLY ASSIGNED CASES



READ THIS ORDER CAREFULLY. IT CONTROLS THIS CASE.

This action has been assigned to the calendar of
Judge Dickran Tevrizian.

The responsibility for the progress of litigation in the
Federal Courts falls not only upon the attorneys in the action,
but upon the Court as well. "To secure the just, speedy, and
inexpensive determination of every action," Federal Rule of Civil
Procedure 1, all counsel are hereby ordered to familiarize
themselves with the Federal Rules of Civil Procedure,

1 particularly Federal Rules of Civil Procedure 16, 26, and the
2 Local Rules of the Central District of California.¹

3 It is further ordered:

4 1. Service of the Complaint. The Plaintiff(s) shall
5 promptly serve the Complaint in accordance with Fed. R.
6 Civ. P. 4 and file the proofs of service pursuant to
7 Local Rule.

8 2. Removed Actions. Any answers filed in state court must
9 be refiled in this Court as a supplement to the petition. Any
10 pending motions must be re-noticed in accordance with Local Rule.

11 3. Presence of Lead Counsel. The attorney attending any
12 proceeding before this Court, including all status and settlement
13 conferences, must be the lead trial counsel.

14 4. Discovery. All discovery matters have been referred to
15 a United States Magistrate Judge to hear all discovery disputes.
16 (The Magistrate Judge's initials follow the Judge's initials next
17 to the case number.) All documents must include the words

18
19 ¹Copies of the Local Rules are available on our website at "<http://www.cacd.uscourts.gov>"
20 or they may be purchased from one of the following:

21 Los Angeles Daily Journal
22 915 East 1st Street
23 Los Angeles, California 90012

24 West Group
25 610 Opperman Drive
26 P. O. Box 64526
27 St. Paul, Minnesota 55164-0526

28 Metropolitan News
210 South Spring Steet
Los Angeles, California 90012

1 "DISCOVERY MATTER" in the caption to ensure proper routing.
2 Counsel are directed to contact the Magistrate Judge's Courtroom
3 Deputy Clerk to schedule matters for hearing. Please do not
4 deliver courtesy copies of these papers to this Court.

5 The decision of the Magistrate Judge shall be final, subject
6 to modification by the District court only where it has been
7 shown that the Magistrate Judge's order is clearly erroneous or
8 contrary to law.

9 Any party may file and serve a motion for review and
10 reconsideration before this Court. The moving party must file
11 and serve the motion within ten (10) days of service of a written
12 ruling or within ten (10) days of an oral ruling that the
13 Magistrate Judge states will not be followed by a written ruling.
14 The motion must specify which portions of the text are clearly
15 erroneous or contrary to law, and the claim must be supported by
16 points and authorities. Counsel shall deliver a conformed copy
17 of the moving papers and responses to the Magistrate Judge's
18 clerk at the time of filing.

19 5. **Motions**. All hearing dates must be approved by the
20 Courtroom Deputy Clerk. Motions shall be filed and set for
21 hearing in accordance with Local Rule, except that this Court
22 hears motions on Mondays commencing at 10:00 a.m. If Monday is a
23 national holiday, this Court will hear motions on the succeeding
24 Tuesday. Any opposition or reply papers due on a holiday are due
25 the **preceding** Friday, not the following Tuesday and must be hand-
26 served or faxed to opposing counsel on that Friday. **Memoranda of**
27 **Points and Authorities in support of or in opposition to motions**
28 **shall not exceed 25 pages. Replies shall not exceed 25 pages.**

1 Only in rare instances and for good cause shown will the Court
2 agree to extend these page limitations. Pursuant to Local Rule,
3 typeface shall not be smaller than pica size, with no more than
4 ten (10) typed characters per inch. The Court recommends the
5 "courier" font (12 point).

6 6. Proposed Orders. Each party filing or opposing a
7 motion or seeking the determination of any matter shall serve and
8 lodge a proposed order setting forth the relief or action sought
9 and a brief statement of the rationale for the decision with
10 appropriate citations.

11 7. Courtesy Copies. Counsel shall deliver a conformed
12 (file stamped) courtesy copy of all reply papers in motion
13 matters to the courtesy box located in the Clerk's Office of the
14 Roybal Federal Building, 255 East Temple Street, Los Angeles,
15 California 90012.

16 8. Telephonic Hearings. The Court generally does not
17 permit appearances or arguments by way of telephone conference
18 calls. However, there are exceptions to this requirement
19 providing that counsel notifies the courtroom deputy clerk
20 advance of the hearing and arrangements are made and confirmed
21 prior to the date set for hearing with the courtroom deputy clerk
22 and the consent of the Court.

23 9. Ex Parte Applications. The Court considers ex parte
24 applications on the papers and does not usually schedule these matters
25 for hearing. Ex parte applications are solely for extraordinary
26 relief and should be used with discretion. See Mission Power
27 Engineering Co. v. Continental Casualty Co., 883 F.Supp. 488
28 (C.D. Cal. 1995).

1 Counsel's attention is directed to Local Rule. The moving
2 party shall serve the opposing party by facsimile transmission
3 and shall notify the opposition that opposing papers must be
4 filed not later than twenty-four hours following such facsimile
5 service. If counsel does not intend to oppose an ex parte
6 application, he or she must inform the Courtroom Deputy Clerk at
7 (213) 894-3538. Counsel shall deliver a conformed courtesy copy
8 of moving or opposition papers to the Court's courtesy box as
9 previously set forth. The Courtroom Deputy Clerk will notify
10 counsel of the Court's ruling or a hearing date and time should
11 the Court determine that a hearing is necessary.

12 10. Continuances. Counsel requesting a continuance must
13 lodge a proposed stipulation and order including a detailed
14 declaration of the grounds for the requested continuance or
15 extension of time. See Local Rule. The Court grants
16 continuances only upon a showing of good cause, focusing on the
17 diligence of the party seeking the continuance and any prejudice
18 that may result if the continuance is denied. Failure to comply
19 with the Local Rules and this Order will result in rejection of
20 the request without further notice to the parties. The Court
21 sets firm trial dates and will not change them without a showing
22 of good cause. Proposed stipulations extending scheduling dates
23 do not become effective unless and until this Court so orders.
24 Counsel wishing to know whether a stipulation has been signed
25 shall comply with the applicable Local Rule.

26 11. Communications with Chambers. Counsel shall not
27 attempt to contact the Court or its staff by telephone or by any
28 other ex parte means, although counsel may contact the Courtroom

1 Deputy Clerk with appropriate inquiries. Counsel should list
2 their facsimile transmission numbers along with their telephone
3 numbers on all papers to facilitate communication with the
4 Courtroom Deputy.

5 12. Order Setting Scheduling Conference. Pursuant to
6 Federal Rule of Civil Procedure 16(b), the Court will issue an
7 Order setting a Scheduling Conference as required by Federal Rule
8 of Civil Procedure 26 and the Local Rules of this Court. Strict
9 compliance with Federal Rules of Civil Procedure 16 and 26 is
10 required.

11 13. Notice of this Order. Counsel for plaintiff or
12 plaintiff (if appearing on his or her own behalf) shall
13 immediately serve this Order on all parties, including any new
14 parties to the action. If this case came to the Court by a
15 Petition for Removal, the removing defendant(s) shall serve this
16 Order on all other parties.

17
18 DATED: AUG 27 2001

DICKRAN TEVRIZIAN
DICKRAN TEVRIZIAN
United States District Judge